

OPT IN/OPT OUT NEWS

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Victim's Rights is on the healing edge.

TEAM INPUT-

Victim Offender Mediation

By Pam Ellis

Victim's Rights Coordinator

What's up and coming with Victims' Rights? Victim Offender Mediation that's what! Victim offender mediation is a process that provides interested victims of primarily property crimes and minor assaults the opportunity to meet the offender in a safe and secure setting, with the goal of holding the offender directly accountable while providing important assistance and/or compensation to the victim.

With the assistance of a trained mediator, the victim is able to let the offender know how the crime affected him or her, to receive answers to

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BITS AND PIECES

By Milt Carpenter

Victims Rights Coordinator

The Victim's Rights Coordinators are most likely to be the first contact with victims in our Juvenile Court system. When an Advisory Hearing is set a letter and brochure is sent to the victim. The information allows the victim to have an immediate contact number and this number is in service twenty-four hours. Even prior to Advisory Hearing victims can call this number, as it is given to the victims by the law enforcement officers.

Detention Screeners are also involved and call the victims if the juvenile is released when brought to detention by law enforcement. The Screeners answer the victim contact number in the late hours and provide information and direct specific questions to the Coordinators.

Central Index enters all the law enforcement information into the computer system.

The Probation Officers first contact with the victim will generally occur after the Adjudication Hearing. The victim is sent a letter giving the Disposition Hearing date, outlining their rights and a verified victim statement is provided. After the Disposition the PO sends out the results of the Disposition to the victim. Post Disposition contacts are also made.

When victims attend court there is a separate victim/witness room for them, so that they may avoid contact with the offender and to be at ease. Court Administration oversees the accommodation of the room.

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This newsletter will be published quarterly. Victim's Rights Coordinator Milt Carpenter takes responsibility for the content of the newsletter. The object of the newsletter is to inform and stimulate sensitivity for the victims, the offenders and the community.

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questions, and to be directly involved in forming a restitution plan for the offender to be accountable for the losses they caused.

Victim Offender Mediation is one of the clearest expressions of Restorative Justice, a movement the Juvenile Court center has embraced. Over twenty years of experience throughout North America and Europe shows that the majority of victims presented with the option of mediation choose to enter the process.

Initially cases will be referred to victim offender mediation as a diversion from prosecution. After receiving a new file the CJC probation officer will determine based upon specific criteria whether the case is appropriate for mediation. They will refer the case to a trained mediator through the Episcopal Diocese. Assuming the agreement is successfully completed the juvenile's charge will be adjusted.

Restoration of the emotional and material losses resulting from crime is far more important than imposing ever-increasing levels of costly punishment on the offender. The debt owed by the offenders is very concrete. Rather than passively "taking your punishment," offenders are encouraged to actively restore losses to victims and communities.

Victim Offender Mediation is one of many ways Milt and I are perusing to decrease the ever-increasing workload of Judicial and Probation Officers. We are hopeful that we will have approval and support in 1999. Until then, "Think Mediation".

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First time into victims services

By Espie Lopez
Victim's Rights CIP

In the short time that I have been an employee in the Victim's Rights Department I have noticed a variety of problems that the Victim Coordinators have to deal with. From Misdemeanors to murder and all of these crimes being committed by children under the age of 18 years of age and all these crimes affecting one or more victims. I've learned that victims of crime go through shock,

disbelief and helplessness. They struggle to forget, but also there are times when they imagine ways to get revenge. Eventually, though, the victim begins to adjust, however, some have a tougher time than others. Just from talking to victims on the telephone, I believe the whole process would be easier to deal with if the victim had some knowledge of the court/legal process. This is where the victim coordinators come in. Once the victim receives a letter they are on the phone asking what to do. For example, the day I had spoken to a teacher who had been assaulted by a student at school. She was notified of the juvenile's release and on the same day had gotten a threatening phone call from the student. She feared for her life and wanted advice as to what to do next. The coordinator consoled her and gave her the information she needed. It is up to Coordinators to assist with questions that the victim might have. They (victims) are given individual attention and oftentimes think that theirs is the only case being processed. The dedication and concern shown by the coordinators can impact a victim's life. They (coordinators) offer guidance to the victim and somehow make the process seem less intimidating.

Being in this department has been a real eye opener for me and I really have not led a sheltered life. Just being in the same office with the two coordinators has taught me that in the juvenile system there is a human and compassionate side for victims, which I never knew existed. I was not aware and perhaps did not know how much something like this is appreciated by victims of crime.

Finally, I believe that there should be more legislation introduced to help victims of crime. Victims may not know what is available to them as far as programs to assist them through their ordeal and they should be given services with no charge to them. Restitution is another area that needs alignment also. Some victims suffer financial loss and are never paid back for their losses. There should be a fund established for the victim to be reimbursed for some, if not all of their loss if the offender does not pay.

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POINT OF VIEW, and then some

Victim's- We've been one, we're dealing with them

By Jayme Bardin
Probation Officer

Here at the Juvenile Court, victims are a part of everyday life. I'm a supervising PO in the 85041 zip code area, (So. Phoenix).

Interestingly enough, victims are a group unto themselves in my area. I have had minimal contact with victims. The reasons vary. Most of my experiences range from the victim moving, leaving no forwarding address after Opting In, to ignoring Court information due to lack of understanding English.

The most contact I have has come from stores, where shoplifts occur. The most interesting contact with victims came from a case where the families were at war with each other and each called within minutes of the other to complain about the acts of the other. Whew, what a ball of wax that was!

Another factor I've encountered is with victims who are undocumented aliens. They feel they would be giving the law insight into their lives and the consideration of deportation.

When it occurs that a family member is a victim, I have received a lot of feedback. Usually the contact is represented in the spirit of wanting to help their juvenile relative, but it's really a cover that says to me "it's an issue of 'tattling' and vindictiveness".

My experience in working with Victim's Right Coordinators has been positive, even when I felt it was "We vs. them", i.e., too much more being added to the job. In all the shuffle of paper sometimes we PO's get a lot of information, more than we want. It's nice to have someone be patient and kind enough to walk through the information when you need it. Sometimes, more than once.

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If you don't let your child talk to strangers on the street . . . WHY let them online?

Victim's Rights Coordinators and Probation Officers made 19,000 contacts concerning hearings and proceedings in the year 1997.

The last probable contact with a victim can take place after a juvenile has turned 18 and the Coordinators assist the victim in judgement and lien information concerning restitution.

Victim's Rights Coordinators sent out 474 judgement packets in 1996 and 1,094 in the year 1997.

Over the last months the following changes have been made to assist the victims and to simplify the Probation Officers workload. **Restitution:** Letters concerning Disposition Hearing set, Transfer Hearings set and Restitution Hearing set are now generated and mailed by the Victim's Rights Coordinators (VRC) office. Included with the information in the letter concerning restitution is an attached Verified Victim Statement. This now ensures a consistency of contact with the victim and is a means to ensure notification.

There are numerous phone calls received by the VRC office concerning restitution. To answer many of the questions concerning restitution, an information sheet concerning these restitution questions will soon be included. **Victim Impact Statement:** Probation Officers are required to make a phone call to the victim for a Victim Impact Statement. (Two attempts at reaching the victim by phone.) When an impact statement is provided by the victim, it is included in the PO reports. The phone contact also serves as a check on any restitution questions. **Warrant**

Notification: The VRC office is now notifying the victims of warrants issued.

The Community Justice Probation Officers and Community Justice Committees have up front and personal contact with victims. They exemplify the principle, "Restorative justice is not restorative unless the victim is involved."

The victim network at the Maricopa County Juvenile Court involves a team. It is not just the coordinators; it is all of us at the Court Centers providing the necessary healing for the victims.

IT FIGURES!

(From the Attorney General's Office of Victim Services)
The following script is devised to challenge your thinking about the definition of "victim" under Arizona's victim's rights laws. Only one of the statements is **TRUE** in each script.

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Two 15-year- old boys are released to their parents upon promise to appear in Coconino County Juvenile Court, after a Walmart store detective caught them leaving the store with unpaid merchandise (CD's)

- _____A Wal-Mart is a victim in this case even through the boys are minors.
_____B The boys' parents are victims in this case.
_____C There is no victim in this case.

The answer will be in the next issue

NATIONAL CRIME VICTIMS' RIGHTS WEEK

victims' voices:
Silent
no more

**April 25 – May 1,
1999**

QUESTIONS AND ANSWERS

Q: If I send out Disposition results before a juvenile is released, do I send out a release letter?

A: Not if you included the release ordered in the Dispo results.

Q I am having difficulty, a Dispo set letter printed out before Adjudication, how can I solve the problem?

A: On all letters or notification or victim-related problems, please message the VRC with the File number(s) and a short description of the problem.

Q: The 1250 screen is a nuisance and is not meeting my needs?

A: Your right! The 1250 screen is a problem. The 1250 screen will be outdone by the updated 1730 series, a new generation of letters. When? It is a 1999 project. VRC has already talked with RAPS. Any suggestions, send them to Milt or Pam

Q: How do I enter a new victim in to the 1710 screen?

A: The Probation Officer Guide for Victims, section-Step by Step Through the 1700 Screen, New Victim Information. This should solve the problem. If not call Pam or Milt, When you do enter a victim, message the VRC with the information.

Q: Who puts all of the victim information into the 1700 database?

A: Since 8-1-96 all victim information has been entered into the database by Central Index and Detention Screeners from law enforcement DRs.

Please keep your questions coming to Pam or Milt.